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Appendix D  
**MINIMUM STANDARDS**

# ***MINIMUM STANDARDS FOR AIRPORT OPERATORS AT SELIGMAN AIRPORT***

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## ***SECTION 1 - POLICY STATEMENT***

The County Commission of Yavapai, Arizona being in a position of responsibility for the administration of the Seligman Airport, hereinafter called the "Airport", does hereby establish the following Minimum Standards policy:

The Minimum Standards are intended to be the threshold entry requirements for those wishing to provide aeronautical services to the public and to insure that those who have undertaken to provide commodities and services as approved are not exposed to unfair or irresponsible competition. These Minimum Standards were developed taking into consideration the aviation role of the Airport, facilities that currently exist at the Airport, services being offered at the Airport, the future development planned for the Airport and to promote fair competition at the Airport. The uniform application of these Minimum Standards, containing the minimum levels of service that must be offered by the prospective service provider, relates primarily to the public interest and discourages substandard entrepreneurs, thereby protecting both the established aeronautical activity and the Airport patrons.

Final decisions regarding application of these standards rests with the Yavapai County Board of Supervisors (BOS), with recommendations provided by County staff.

## ***SECTION 2 - DEFINITIONS***

- ADOT - means Arizona Department of Transportation - Aeronautics Division.
- Aeronautical Activity - means any activity conducted at airports which involves, makes possible or is required for the operation of aircraft, or which contributes to or is required for the safety of such operations. These activities include, but are not limited to, air taxi and charter operations, pilot training, aircraft renting, sightseeing, aerial photography, aerial advertising, aerial surveying, air carrier operations, aircraft sales and services, sale of aviation petroleum products, repair and maintenance of aircraft and aircraft parts, sale of aircraft parts, and aircraft storage.
- Aeronautical Service means any service which involves, makes possible or is required for the operation of aircraft, or which contributes to or is required for the safety of aircraft operations commonly conducted on the airport by a person who has a lease from the airport owner to provide such service.
- Aircraft Lease (pertaining to the lease of aircraft by an aeronautical activity) means a long-term written agreement established on a minimum basis of six (6) months wherein the lessee shall have full control over the scheduling and use of

aircraft and the aircraft is insured as required by these Minimum Standards for the use of the aircraft by Lessee. (Also referred to as aircraft lease-back.)

- Airport means the Seligman Airport, and all of the property, buildings, facilities and improvements within the exterior boundaries of such airport as it now exists on the Airport Layout Plan or Exhibit A or as it may hereinafter be extended, enlarged or modified.
- Airport Manager means the Airport Manager or his/her designee. If the airport does not have a hired, dedicated airport manager, this means the appointed member of the Yavapai County staff which is responsible for airport operations and development.
- FAA means the Federal Aviation Administration.
- FAR means Federal Aviation Regulation.
- FBO stands for Fixed Base Operator means any aviation business duly licensed and authorized by written agreement with the airport owner to provide aeronautical activities at the airport under strict compliance with such agreement and pursuant to these regulations and standards.
- Flying Club means a non-commercial organization established to promote flying, develop skills in aeronautics, including pilotage, navigation, and awareness and appreciation of aviation requirements and techniques. See the Airport Rules and Regulations for requirements.
- Fuel - As defined in an operator's lease agreement.
- Fueling Operations means the dispensing of aviation fuel into aircraft.
- Fuel Vendor means an entity engaged in selling or dispensing aviation fuel to aircraft other than that owned or leased by the entity.
- Fueling Operations Permit means a permit issued by the airport manager to a person or entity who dispenses aviation fuel at the Airport (see Airport Rules and Regulations for requirements and procedure). There are two types: (1) Fuel Vendor's Permit; and (2) Self-fueling Permit.
- Independent Contractor in this context refers to persons whose place of business is located off the airport property, performing aeronautical services for individual airport tenants and/or operators of transient aircraft.
- Landside means all buildings and surfaces on the airport used by surface vehicular

and pedestrian traffic.

- Large Aircraft is an aircraft of more than 12,500 pounds maximum certified takeoff weight or turboprop and turbojet aircraft.
- Minimum Standards means the standards which are established by the airport owner as the minimum requirements to be met as a condition for the right to conduct an aeronautical activity on the airport.
- NFPA means the National Fire Protection Association.
- NOTAM means a Notice to Airmen published by the FAA.
- Owner means the Yavapai County, Arizona or other entity providing a combination of aeronautical services to or for aviation users at the Airport.
- Person means an individual, corporation, government or governmental subdivision, partnership, association, or any other legal entity.
- Ramp Privilege means the driving of an automobile or other vehicle upon an aircraft parking ramp on the airside of the airport to deliver persons, cargo or equipment to an aircraft as a matter of convenience or necessity. See Airport Rules and Regulations for requirements and procedure.
- Self-fueling operator means a person who dispenses aviation fuel to aircraft owned by such person, or leased from others and operated by such person. See Airport Rules and Regulations for requirements and procedure.
- Small Aircraft is an aircraft of 12,500 pounds or less maximum certified take-off weight.
- UNICOM means a non-governmental communication facility which provides airport advisory information.

### ***SECTION 3 - APPLICATION AND QUALIFICATIONS***

Demonstration of intent to conduct a business operation at the Airport shall be by application to the Airport Manager. The written application shall contain at the minimum:

1. The proposed nature of the business. A business plan may be used to express the proposed nature of the business. (See Appendix B, "Minimum Requirements for a Business Plan".)

2. The signatures of all parties whose names are being submitted as owning an interest in the business or will appear on leases or other documents as being a partner, director, or corporate officer, and those who will be managing the business.
3. A current financial statement prepared or certified by a Certified Public Accountant.
4. A listing of assets owned, or being purchased, or leased which will be used in the business on the Airport.
5. A current credit report for each party owning or having a financial interest in the business and a credit report on the business itself covering all geographical areas in which it has done business in the ten-year period immediately prior to such application.
6. An agreement to provide a suitable guarantee of adequate funds to the Airport Manager to be used to defray any expenses and fees normally paid by the Lessee between the estimated time the Lessee may default and a new lease is executed and another Lessee takes over.
7. A written authorization for the FAA, ADOT, any aviation or aeronautics commissions, administrators, and departments of all states in which the applicant has engaged in aviation business to release information in their files relating to the applicant or its operation. The applicant will execute such forms, releases, or discharges as may be required by those agencies.
8. Preliminary plans, specifications and dates for any improvements which the applicant intends to make on the Airport as part of the activity for which approval is sought. Applicant must comply with appropriate Building Code and Airport Manager Plan Review Procedures and other applicable development code requirements.
9. Proof of liability coverage or insurance company letter of intent for the business operation, flight operations, itinerant aircraft and operators and premises insurance.
10. Such other information as the Airport Manager may require.

#### ***SECTION 4 - ACTION ON APPLICATION***

All compliant applications will be reviewed and acted upon by the Airport Manager within 45 days from the receipt of the application.

Applications may be denied for one or more of the following reasons:

1. The applicant does not meet qualifications, standards and requirements established by these Minimum Standards.
2. The applicant's proposed operations or construction will create a safety hazard on the Airport.
3. The granting of the application will require the expenditure of local funds, labor or materials on the facilities described in or related to the application, or the operation will result in a financial loss to the Yavapai County.
4. There is no appropriate or adequate available space or building on the Airport to accommodate the entire activity of the applicant.
5. The proposed operation, Airport development or construction does not comply with the approved Airport Master Development Plan.
6. The development or use of the area requested will result in a congestion of aircraft or buildings, or will result in undue interference with the operations of any present fixed base operator on the Airport, such as problems in connection with aircraft traffic or service, or preventing free access and egress to the existing fixed base operator area, or will result in depriving, without the proper economic study, an existing fixed base operator of portions of its leased area in which it is operating.
7. Any party applying, or interested in the business, has supplied false information, or has misrepresented any material fact in the application or in supporting documents, or has failed to make full disclosure on the application.
8. Any party applying, or having an interest in the business, has a record of violating the Rules, or the Rules and Regulations of any other Airport, Civil Air Regulations, Federal Aviation Regulations, or any other Rules and Regulations applicable to this or any other Airport.
9. Any party applying, or having an interest in the business, has defaulted in the performance of any lease or other agreement with the Airport Manager or any lease or other agreement at any other airport.
10. Any party applying, or having an interest in the business, is not sufficiently credit worthy and responsible in the judgment of the Airport Manager to provide and maintain the business to which the application relates and to promptly pay amounts due under the FBO lease.

11. The applicant does not have the finances necessary to conduct the proposed operation for a minimum period of six months.

12. The applicant has committed any felony, or violated any local ordinance rule or regulation, which adversely reflects on its ability to conduct the FBO operation applied for.

## ***SECTION 5 - MINIMUM STANDARDS FOR ALL FBOS***

The following shall apply to all prospective aeronautical service providers wishing to become FBOs at the Airport:

1. Leases shall be for a term to be mutually agreed upon between the parties with due consideration for the financial investment and the need to amortize improvements to the leasehold.

2. A person shall have such business background and shall have demonstrated his business capability to the satisfaction of, and in such manner as to meet with the approval of the Airport Manager.

3. Any prospective FBO seeking to conduct aeronautical activity at the Airport should demonstrate that they have adequate resources to realize the business objectives agreed to by the Airport Manager and the applicant.

4. The prospective FBO shall lease from the Owner an area of not less than 2600 square feet of ground space to provide for outside display and storage of aircraft. The prospective FBO shall also lease from the owner a sufficient area of land to erect a building with at least 2600 square feet of floor space and to provide paved parking for the FBO's customers and employees. Space in the building shall be provided for aircraft storage, and, for properly lighted, heated, and air conditioned office and lounge space, with telephone and restrooms available to customers.

-- or --

The prospective FBO shall lease an existing building with no less than 1,000 square feet of floor space with properly lighted, heated, and air conditioned office and lounge space with public parking, telephone, and restroom facilities available for customer use.

5. All prospective FBOs shall demonstrate to the Airport Manager's satisfaction, evidence of its ability to acquire insurance coverage as stipulated for each particular type of operation. An FBO should make its own analysis to determine if more is needed. However, such policies of insurance shall be maintained in full



force and effect during all terms of existing leases, agreements or business licenses or renewals or extensions thereof with a 30-calendar day notice of cancellation to the Airport Manager. Such policies shall not be for less than the amounts listed at APPENDIX A; however, in all cases, amounts of policies must meet the statutory requirements of applicable governmental agencies and be approved in writing by the Airport Manager.

6. Independent contractors, or, airport tenants and operators of transient aircraft performing aeronautical activities incidental to businesses located off the airport, shall not be considered to be FBOs for the purposes of Minimum Standard Requirements for Airport Aeronautical Services.

## ***SECTION 6 - AIRCRAFT SALES***

### Statement of Concept

1. New Aircraft Sales: An aircraft sales FBO engages in the sale of new aircraft through franchises or licensed dealerships (if required by local, county or state authority) or distributorship (either on a retail or wholesale basis) of an aircraft manufacturer or used aircraft; and provides such repair, services, and parts as necessary to meet any guarantee or warranty on aircraft sold.

2. Used Aircraft Sales: Many companies engage in the purchasing and selling of used aircraft. This is accomplished through various methods including matching potential purchasers with an aircraft (brokering), assisting a customer in the purchase or sale of an aircraft, or purchasing used aircraft and marketing them to potential purchasers. In many cases these FBOs also provide such repair, services, and parts as necessary to support the operation of aircraft sold. Some of the requirements for the sale of new aircraft may not be appropriate to the sale of used aircraft because of each aircraft's unique operational purpose.

### Minimum Standards:

1. The FBO shall provide necessary and satisfactory arrangements for repair and servicing of aircraft, but only for the duration of any sales guarantee or warranty period. The FBO who is engaged in the business of selling new aircraft shall have available a representative example of the product(s), as required by the manufacturer.

2. The FBO shall have in his employ, and on duty during the appropriate business hours, trained personnel in such numbers as are required. The FBO shall also maintain, during all business hours, a responsible person in charge to supervise the operations in the leased area with the authorization to represent and act for

and on behalf of the FBO, and to provide appropriately rated pilots for aircraft demonstrations and make and model training in aircraft sold.

3. At least one aircraft storage space (tiedowns or hangars) shall be leased from the owner for each aircraft in inventory.

## ***SECTION 7 - AIRFRAME, ENGINE, AND ACCESSORY MAINTENANCE AND REPAIR***

### Statement of Concept

An aircraft airframe, engine, and accessory maintenance and repair FBO provides one or a combination of airframe, engine and accessory overhauls and repair services on aircraft up to and may include business jet aircraft and helicopters. This category shall also include the sale of aircraft parts and accessories.

### Minimum Standards:

1. The FBO shall provide sufficient equipment, supplies, manuals and availability of parts equivalent to that required for certification by the FAA.
2. The FBO shall have in his employ, and on duty during the appropriate business hours, trained personnel in such numbers as are required to meet the Minimum Standards set forth in this category of services in an efficient manner, but never less than one person currently certificated by the FAA with ratings appropriate to the work being performed and who holds an airframe, power plant or an aircraft inspector rating.
3. At least two aircraft storage spaces (tiedowns or hangars) shall be leased from the owner.

## ***SECTION 8 - AIRCRAFT LEASE AND RENTAL***

### Statement of Concept

An aircraft lease or rental FBO engages in the rental or lease of aircraft to the public.

### Minimum Standards:

1. The FBO shall have available for rental, either owned or under written lease to FBO, a certified and currently airworthy aircraft.

2. The FBO shall make available during business hours an appropriately rated and current FAA certified flight instructor for aircraft check flights as required.
3. At least one tiedown or adequate hangar space shall be leased from the owner for each owned or leased aircraft.

## ***SECTION 9 - FLIGHT TRAINING***

### Statement of Concept

A flight training FBO engages in instructing pilots in fixed and/or rotary wing aircraft, and provides dual flight instruction and related ground school instruction as necessary preparatory to taking written examinations and flight tests appropriate to the pilot certificates and ratings sought by the applicant.

### Minimum Standards:

1. The FBO shall have available for use in flight training, either owned or under written lease to FBO, a certified and currently airworthy aircraft, which must be a two place aircraft suitable for private pilot training.
2. The FBO shall employ at least one FAA certified flight instructor to provide the type of training offered.
3. At least one tie-down or adequate hangar space shall be leased from the owner for each owned or leased aircraft.

## ***SECTION 10 - AIRCRAFT FUEL AND OIL SERVICE***

### Statement of Concept

An aircraft fuel and oil service FBO provides aviation fuels, lubricants and other services supporting itinerant aircraft operations and operations of aircraft based on the airport.

### Minimum Standards:

Except as otherwise provided in any agreement between the FBO and the Authority, an FBO conducting aviation fuel and oil sales or service to the public on the Airport shall be required to provide the following services and equipment.

1. Appropriate grades of aviation fuel.
  - a. 100 LL
  - b. Jet A
2. An adequate inventory of generally accepted grades of aviation engine oil and lubricants.
3. Fuel dispensing equipment, meeting all applicable Federal, State, and Authority requirements for each type of fuel dispensed.
4. Proper equipment for aircraft towing, inflating aircraft tires, washing aircraft windscreens, and recharging aircraft batteries.
5. The safe storage and handling of fuel in conformance with all Federal, State, County requirements and fire codes pertaining to safe storage and handling of fuel.
6. The lawful and sanitary handling and timely disposal, away from the Airport, of all solid waste, regulated waste, and other materials including, but not limited to, used oil, solvents, and other regulated waste. The piling and storage of crates, boxes, barrels, and other containers will not be permitted within the leased premises.
7. Adequate grounding wires will be installed, continuously inspected and maintained on all fueling equipment, to reduce the hazards of static electricity.
8. An adequate supply of properly located fire extinguishers and other precautions and/or equipment required by applicable fire codes.
9. Unless provided by the airport owner, the FBO shall have a fixed fuel storage system which shall contain safety fixtures and filtration systems to ensure airline-type quality. The system shall be required to have at least 8,000 gallons of storage for each type of fuel the FBO is required to provide. The storage system must include adequate fuel spill prevention features and containment capabilities, together with an approved fuel Spill Prevention Countermeasures and Control Plan (SPCC), as applicable.
10. The prospective FBO shall have his premises open and services available at least 8 hours per day, 7 days a week, and shall make provision for an office attendant to be on duty at all times during the required operating hours, unless otherwise negotiated with the Airport Manager.
11. A designated parking space for each fueling vehicle shall be leased from the owner.

## ***SECTION 11 - AVIONICS, INSTRUMENTS OR PROPELLER REPAIR STATION***

### **Statement of Concept**

An avionics, instrument, or propeller repair station FBO engages in the business of and provides a shop for the repair of aircraft avionics, propellers, instruments, and accessories for general aviation aircraft. This category may include the sale of new or used aircraft avionics, propellers, instruments, and accessories. The FBO shall hold the appropriate repair station certificates issued by FAA for the types of equipment he plans to service and/or install.

### **Minimum Standards:**

1. The FBO shall have in his employ and on duty during the appropriate business hours, trained personnel in such numbers as are required to meet the Minimum Standards set forth in this category in an efficient manner but never less than one person who is an FAA rated radio, instrument or propeller repairman.
2. At least one aircraft storage space (tie-downs or hangars) shall be leased from the owner.

## ***SECTION 12 - AIRCRAFT CHARTER AND AIR TAXI***

### **Statement of Concept**

An unscheduled, or scheduled air charter or air taxi FBO engages in the business of providing air transportation (persons or property) to the general public for hire, on an unscheduled or scheduled basis under Code of Federal Regulations CFR 14 Part 135 of the Federal Aviation Regulations.

### **Minimum Standards:**

1. The FBO shall provide, either owned or under written lease type, class, size and number of aircraft intended to be used by the FBO, not less than one single engine four place aircraft which must meet the requirements of the commercial air taxi certificate held by the FBO.
2. The FBO shall have in his employ and on duty during the appropriate business hours trained personnel in such numbers as are required to meet the Minimum Standards in an efficient manner but never less than one person who is an FAA

certified commercial pilot and otherwise appropriately rated to permit the flight activity offered by FBO.

3. At least one tie-down or adequate hangar space shall be leased from the owner for each owned or leased aircraft.

## ***SECTION 13 - AIRCRAFT STORAGE***

### Statement of Concept

An aircraft storage FBO engages in the rental of conventional hangars or multiple T hangars.

### Minimum Standards:

1. The conventional hangar FBO shall have his facilities available for the tenant's aircraft removal and storage on a continuous basis.
2. The FBO shall demonstrate that it can provide sufficient personnel trained to meet all requirements for the storage of aircraft with appropriate equipment.

## ***SECTION 14 - SPECIALIZED COMMERCIAL FLYING SERVICES***

### Statement of Concept

Specialized commercial flying services FBO engages in air transportation for hire for the purpose of providing the use of aircraft for the following activities:

- a. Non stop sightseeing flights that begin and end at the same airport.
- b. Aerial advertising.
- c. Aerial photography or survey.
- d. Power line or pipe line patrol.
- e. Fire fighting.
- f. Any other operations specifically excluded from Part 135 of the Federal Aviation Regulations.

### Minimum Standards:

1. All FBOs shall demonstrate that they have the availability of aircraft suitably equipped for the particular type of operation they intend to perform.
2. The FBO shall have in his employ, and on duty during appropriate business

hours, trained personnel in such numbers as may be required to meet the Minimum Standards herein set forth in an efficient manner.

## ***SECTION 15 - MULTIPLE SERVICES***

### Statement of Concept

A multiple services FBO engages in any two or more of the aeronautical services for which Minimum Standards have been herein provided.

### Minimum Standards:

1. The FBO shall comply with the aircraft requirements, including the equipment thereon for each aeronautical service to be performed except that multiple uses can be made of all aircraft owned or under lease by FBO.
2. The FBO shall provide the facilities, equipment and services required to meet the Minimum Standards as herein provided for all aeronautical service the FBO is performing.
3. The FBO shall obtain, as a minimum, insurance coverage which is equal to the greater requirement for all individual aeronautical services being performed by FBO.
4. The FBO shall have in his employ, and on duty during the appropriate business hours, trained personnel in such numbers as are required to meet the Minimum Standards for each aeronautical service the FBO is performing as herein provided. Multiple responsibilities may be assigned to meet the personnel requirements for each aeronautical service being performed by the FBO.
5. The FBO providing 3 or more services, shall lease from owner a sufficient number of aircraft tie-down spaces to meet the combined needs of the operations proposed.
6. A flight planning/pilot lounge area with appropriate seating, work areas, and communication facilities necessary for complete flight planning separate from other public areas.

## ***SECTION 16 - FLYING CLUBS***

See requirements for Flying Clubs in Airport Rules and Regulations.

## ***SECTION 17 - FBO SUBLEASING FROM ANOTHER FBO***

Prior to finalizing an agreement, the lessee and sub-lessee shall obtain the written approval of the Airport Manager for the business proposed. Said sublease shall define the type of business and service to be offered by the sub-lessee FBO.

The sub-lessee FBO shall meet all of the Minimum Standards established by the Owner for the categories of services to be furnished by the FBO. The Minimum Standards may be met in combination between lessee and sub-lessee. The sublease agreement shall specifically define those services to be provided by the lessee to the sub-lessee that shall be used to meet the standards.

## ***SECTION 18 - ENVIRONMENTAL***

Any FBO, person, party, firm or corporation operating on this airport must comply with all federal, state and local environmental requirements.



## ***APPENDIX A***

### **Schedule of Minimum Insurance Requirements:**

#### **A. FIXED BASE OPERATOR**

1. Commercial general aviation liability policy with coverages for premises, operations, and product liability (\$1,000,000 CSL)
2. Hangar Keeper's Liability -Value of Aircraft in care, custody and control

#### **B. AIRFRAME AND POWERPLANT REPAIR, AVIONICS, INSTRUMENTS, OR PROPELLER REPAIR**

1. Commercial general aviation liability policy with coverages for premises, operations, and product liability (\$1,000,000 CSL)
2. Hangar Keeper's Liability -Value of Aircraft in care, custody and control

#### **C. AIR TAXI AND/OR AIRCRAFT CHARTER**

1. Commercial general aviation liability policy with coverages for premises and operations (\$1,000,000 CSL)
2. Aircraft liability with coverage for bodily injury and property damage, including passengers (\$1,000,000 CSL)

#### **D. AIRCRAFT RENTAL, FLIGHT TRAINING, COMMERCIAL FLYING CLUB**

1. Commercial general aviation liability policy with coverages for premises and operations (\$1,000,000 CSL)
2. Aircraft liability with coverage for bodily injury and property damage, including passengers (\$1,000,000 CSL)

#### **E. SPECIALIZED COMMERCIAL AERONAUTICAL ACTIVITIES, AIRCRAFT SALES**

1. Commercial general aviation liability policy with coverages for premises and operations (\$1,000,000 CSL)
2. Aircraft liability, if aircraft used in operation (\$1,000,000 CSL)

## F. EXEMPT FLYING CLUBS

1. Commercial general aviation liability policy with coverages for premises and operations (\$1,000,000 CSL)

## G. AIRCRAFT HANGAR OPERATOR

1. General Liability Policy (\$1,000,000 CSL)

H. Hangar Keeper's Liability -Value of Aircraft in care, custody and control

## SPECIAL INSTRUCTIONS

1. Any operator fueling aircraft shall have a minimum \$1,000,000 CSL general liability policy with the coverage specified in the Seligman Airport Rules and Regulations.
2. Any Operator using service vehicles on the Airport premises in support of its operations shall maintain additional coverage of Motor Vehicle Liability in the amount of \$500,000 CSL.

Note: CSL = Combined Single Limit

## ***APPENDIX B***

### Minimum Requirements for a Business Plan:

1. All services that will be offered.
2. Amount of land desired to lease.
3. Building space that will be constructed or leased.
4. Number of aircraft that will be provided.
5. Equipment and special tooling to be provided.
6. Number of persons to be employed.
7. Short resume for each of the owners and financial backers.
8. Short resume of the manager of the business (if different from "7" above) including this person's experience and background in managing a business of this nature.
9. Periods (days and hours) of proposed operation.
10. Amounts and types of insurance coverage to be maintained.
11. Evidence of the projections for the first year and the succeeding 4 years.
12. Methods to be used to attract new business (advertising and incentives).
13. Amenities to be provided to attract business.
14. Plans for physical expansion, if business should warrant such expansion.